

Court No. 2
28.4.2025
(Item No. 31)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 8225 of 2025
+
CAN 1 of 2025 (is not in file)

The Ad Hoc Committee of the Patha Bhavan & Anr.
VS
The State of West Bengal & Ors.

Mr. Sunit Kumar Roy
.... For the petitioner
Mr. Supriyo Chattopadhyay, Ld. AGP
Mr. Sabyasachi Mondal
.... For respondent nos. 1, 2 & 3
Ms. Koyeli Bhattacharyya
.... For W.B.B.S.E.
Mr. Lakshmi Kumar Gupta, Ld senior advocate
Mr. Arjun Ray Mukherjee
Mr. Deb Kumar Sen
.... For proposed interveners

Affidavit of service filed in Court today is taken on record.

Mr. Sunit Kumar Roy, learned advocate appears for the petitioner.

Mr. Supriyo Chattopadhyay, learned Additional Government Pleader appears for respondent nos. 1, 2 & 3.

Ms. Koyeli Bhattacharyya, learned advocate appears for West Bengal Board of Secondary Education.

Mr. Lakshmi Kumar Gupta, learned Senior Advocate appears for the proposed interveners. He submits that, his clients are a registered society and he claims that the subject school was formed by the said registered society at its inception. The application **IA No. CAN 1 of 2025** is filed by Mr. Gupta's clients seeking themselves to be added as parties in the instant writ petition but the said original application has not reached this Court today and is lying at the department. In absence of the original application

filed by the proposed added parties no order can be passed today therein.

Referring to the document at **page 62** to the writ petition dated **October 22, 2024**, learned counsel for the petitioner submits that, an Ad hoc Committee has been appointed by the respondent no. 4 and the tenure of it shall expire on **April 30, 2025**. Learned counsel for the petitioner submits that, unless the said tenure stands further extended the entire affair and the management of the school will be at the limbo and the interest of both the school and its students shall be seriously jeopardized.

At this juncture, Mr. Gupta submits that, his clients have submitted an application in **August 2024** before the respondent no. 4 asking for special constitution so that the founder can have a participation in the managing committee of the school.

Ms. Koyeli Bhattacharyya, learned counsel appearing for the respondent no. 4 submits that, at present the tenure of the Ad hoc Committee is required to be extended. She further submits that, there is no challenge before this Court by the clients of Mr. Gupta that the board has not considered their alleged application allegedly submitted in **August 2024**.

Mr. Chattopadhyay, learned Additional Government Pleader submits that, the school was formed in or around **1964-1965** whereas the alleged society alleged to have filed their application for special constitution in **August 2024**.

After considering the rival contentions of the parties and upon perusal of the materials on record, since the tenure of the Ad hoc Committee shall expire on **April 30, 2025**, this Court, prima facie, finds that an extension is required otherwise the entire running and affair of the school will be in limbo and in effect the school and the interest of the students shall

suffer. The balance of convenience is also in favour of extension of the tenure of the Ad hoc Committee, for the time being.

Accordingly, the tenure of the Ad hoc Committee stands extended till **June 30, 2025** on the same terms and conditions on which it was appointed by the board, save and except the time tenure which stands extended today.

On the next day the application filed by Mr. Gupta's clients shall be considered first including the rights of his clients qua the school.

The writ petition along with the interlocutory application shall appear under the heading "**Motion (Top)**" on **June 16, 2025** and it is made clear that, the interlocutory application filed by Mr. Gupta's clients shall be considered first on that day.

(Aniruddha Roy, J.)